



1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,) 2:15-CR-289-JCM-(CWH)
9 Plaintiff,)
10 v.) Preliminary Order of Forfeiture
11 RENE RAMIREZ,)
12 Defendant.)

13 This Court finds that defendant Rene Ramirez pled guilty to Count One of a One-Count
14 Superseding Criminal Information charging him with Possession of Child Pornography in
15 violation of Title 18, United States Code, Section 2252A(a)(5)(B). Superseding Criminal
16 Information, ECF No. __; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

17 This Court finds defendant Rene Ramirez agreed to the forfeiture of the property set forth
18 in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Information.
19 Superseding Criminal Information, ECF No. __; Change of Plea, ECF No. __; Plea Agreement,
20 ECF No. __.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
22 America has shown the requisite nexus between property set forth in the Plea Agreement and the
23 Forfeiture Allegation of the Superseding Criminal Information and the offense to which
24 defendant Rene Ramirez pled guilty.

25 The following property is (1) any visual depiction described in Title 18, United States
26 Code, Section 2252A, or any book, magazine, periodical, film, videotape, or other matter which

1 contains any such visual depiction, which was produced, transported, mailed, shipped or received
2 in violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (2) any property, real or
3 personal, used or intended to be used to commit or to promote the commission of Title 18,
4 United States Code, Section 2252A(a)(5)(B) or any property traceable to such property, and is
5 subject to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1) and (a)(3):

- 6 1. Kyocera Model C6740N Hydro Wave Cellular Phone, Serial Number
7 62ee08364d; and
- 8 2. SanDisk 16GB MicroSD Memory Card

9 (all of which constitutes property).

10 This Court finds the United States of America is now entitled to, and should, reduce the
11 aforementioned property to the possession of the United States of America.

12 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
13 the United States of America should seize the aforementioned property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
15 of Rene Ramirez in the aforementioned property is forfeited and is vested in the United States of
16 America and shall be safely held by the United States of America until further order of the Court.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
18 America shall publish for at least thirty (30) consecutive days on the official internet government
19 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
20 property, state the time under the applicable statute when a petition contesting the forfeiture must
21 be filed, and state the name and contact information for the government attorney to be served
22 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
23 Section 853(n)(2).

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
25 entity who claims an interest in the aforementioned property must file a petition for a hearing to
26 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be

1 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
2 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
3 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
4 facts supporting the petitioner's petition and the relief sought.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
6 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
7 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
8 sixty (60) days after the first day of the publication on the official internet government forfeiture
9 site, www.forfeiture.gov.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
11 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
12 the following address at the time of filing:

13 Michael A. Humphreys
14 Assistant United States Attorney
15 Daniel D. Hollingsworth
16 Assistant United States Attorney
17 501 Las Vegas Boulevard South, Suite 1100
18 Las Vegas, Nevada 89101.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
18 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
19 agency following publication of notice of seizure and intent to administratively forfeit the above-
20 described property.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
22 of this Order to all counsel of record.

23 DATED this 23rd day of Oct, 2017.

24
25 
26 UNITED STATES DISTRICT JUDGE